IN THE CLAIMS

This listing of claims replaces all prior listings:

1 - 35 (Canceled)

36. (Previously Presented) A method of producing a positive electrode active material for a non-aqueous electrolyte cell, comprising the sequential steps of:

(1) mixing ingredients of a lithium composite manganese oxide;

(2) molding the mixture of said ingredients of a lithium composite manganese oxide-under pressure; and

(3) sintering the molded mixture at a temperature not lower than 600°C and not higher than 850°C,

wherein

the lithium composite manganese oxide has a spinel structure and is expressed by a general formula $Li_xMn_{2-y}M_yO_4$ wherein $0.90 \leq x \leq 1.4$; $0 \leq y \leq 0.30$; and M is one or more materials selected from the group consisting of Ti, V, Cr, Fe, Co, Ni, and Al.

37. (Previously Presented) The method of producing a positive electrode active material according to claim 36, further comprising pulverizing the sintered mixture.

38. (Previously Presented) The method of producing a positive electrode active material according to claim 36, wherein said lithium composite manganese oxide is in the form of an aggregate having a primary particle diameter of not less than 0.05 pm and not greater than 10 pm, and having a specific surface area measured by the BET method of not less than 0.2 m2/g and not greater than 2 m2/g.

39. (Previously Presented) The method of producing a positive electrode active material according to claim 36, wherein said non-aqueous electrolyte cell comprises a positive electrode

having a collector and a positive electrode material thereon, the positive electrode material comprising said lithium composite manganese oxide.

40. (Previously Presented) A method of producing a positive electrode for a non-aqueous electrolyte cell, comprising the sequential steps of:

(1) mixing ingredients of a lithium composite manganese oxide;

(2) molding the mixture of said ingredients of said lithium composite manganese oxide under pressure;

(3) sintering the molded mixture at a temperature not lower than 600°C and not higher than 850°C;

(4) mixing the sintered mixture and at least a binder to obtain a positive electrode composite agent; and

(5) applying said positive electrode composite agent on a positive electrode collector wherein said lithium composite manganese oxide has a spinel structure and is expressed by a general formula $Li_xMn_{2-y}M_yO_4$, wherein $0.90 \leq x \leq 1.4$; $0 \leq y \leq 0.30$; and M is one or more materials selected from the group consisting of Ti, V, Cr, Fe, Co, Ni, and Al.

41. (Previously Presented) The method of producing a positive electrode according to claim 40, further comprising mixing a conductive agent in addition to the binder with the sintered mixture to obtain said positive electrode composite agent.

42. (Previously Presented) The method of producing a positive electrode according to claim 40, wherein said positive electrode composite agent is applied in the form of a slurry on said positive electrode collector and dried to obtain a positive electrode.

43. (Withdrawn) A positive electrode active material for a non-aqueous electrolyte cell comprising:

a lithium composite manganese oxide having a spinel structure and expressed by a general formula $Li_xMn_{2-y}M_yO_4$, wherein 0.90 *5* x 1 1.4; 0 *5* y *5* 0.30; and M is one or more materials selected from the group consisting of Ti, V, Cr, Fe, Co, Ni, and Al;

said lithium composite manganese oxide is produced by a method comprising the sequential steps of:

(I) mixing ingredients of a lithium composite manganese oxide;

(2) molding the mixture of said ingredients of a lithium composite manganese oxide under pressure; and

(3) sintering the molded mixture at a temperature not lower than 600°C and not higher than 850°C.

44. (Withdrawn) The positive electrode active material for a non-aqueous electrolyte cell according to claim 43, wherein

said lithium composite manganese oxide is in the form of an aggregate having a primary particle diameter of not less than 0.05 pm and not greater than 10 pm, and having a specific surface area measured by the BET method of not less than 0.2 m2/g and not greater than 2 m2/g.

45. (Withdrawn) A positive electrode active material for a non-aqueous electrolyte cell comprising

a lithium composite manganese oxide having a spinel structure and expressed by a .general formula $Li_xMn_{2-y}M_yO_4$, wherein 0.90 *5* x 1 1.4; 0 *5* y *5* 0.30; and M is one or more materials selected from the group consisting of Ti, V, Cr, Fe, Co, Ni, and Al;

said lithium composite manganese oxide is in the form of an aggregate having a primary particle diameter of not less than 0.05 pm and not greater than 10 pm, and having a specific surface area measured by the BET method of not less than 0.2 m2/g and not greater than 2 m2/g.

46. (Withdrawn) A positive electrode for a non-aqueous electrolyte cell comprising a positive electrode collector and a positive electrode active material thereon, wherein:

said positive electrode active material for a non-aqueous electrolyte cell comprises a lithium composite manganese oxide having a spinel structure and expressed by a general formula $Li_xMn_{2-y}M_yO_4$, wherein $0.90 \leq x \leq 1.4$; $0 \leq y \leq 0.30$; and M is one or more materials selected from the group consisting of Ti, V, Cr, Fe, Co, Ni, and Al;

said lithium composite manganese oxide is produced by a method comprising the sequential steps of:

(1) mixing ingredients of a lithium composite manganese oxide;

(2) molding the mixture of said ingredients of a lithium composite manganese oxide under pressure; and

(3) sintering the molded mixture at a temperature not lower than 600°C and not higher than 850°C.

47. (Withdrawn) The positive electrode for a non-aqueous electrolyte cell according to claim 46, wherein said lithium composite manganese oxide is in the form of an aggregate having a primary particle diameter of not less than 0.05 pm and not greater than 10 pm, and having a specific surface area measured by the BET method of not less than 0.2 m2/g and not greater than 2 m2/g.

48. (Withdrawn) A positive electrode for a non-aqueous electrolyte cell comprising a positive electrode collector and a positive electrode active material applied on said positive electrode collector, wherein:

said positive electrode active material for a non-aqueous electrolyte cell comprises a lithium composite manganese oxide having a spinel structure and expressed by a general

formula LixMn2.,M,04, wherein 0.90 Ix < 1.4; 0 Iy I 0.30; and M is one or more materials selected from the group consisting of Ti, V, Cr, Fe, Co, Ni, and Al; and

said lithium composite manganese oxide is in the form of an aggregate having a primary particle diameter of not less than 0.05 pm and not greater than 10 pm, and having a specific

surface area measured by the BET method of not less than 0.2 m21g and not greater than 2 m/1g.